

ENTERED

September 25, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LEGACY SEPARATORS LLC, *et al*,

Plaintiffs,

VS.

HALLIBURTON ENERGY SERVICES INC;
cp HALLIBURTON COMPANY, *et al*,

Defendants.

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CIVIL ACTION NO. 4:14-CV-2081

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Pending before the Court in the above referenced proceeding is Judge Stacy's Memorandum and Recommendation (Doc. 594) that the Court deny Halliburton's Motion to Exclude (Doc. 525) be denied, but Halliburton's Alternative Motion to Compel Testing Evidence Concealed by Legacy (Doc. 525) be granted in part. Neither party filed timely objections to the Memorandum and Recommendation.

Upon review, the Court agrees with the Magistrate Judge's conclusions. Accordingly, the Court hereby

ORDERS that the Memorandum and Recommendation (Doc. 594) is **ADOPTED**.

Halliburton's Motion to Exclude (Doc. 525) is **DENIED**, but its Alternative Motion to Compel Testing Evidence Concealed by Legacy (Doc. 525) is **GRANTED** in **PART**.

IT IS FURTHER ORDERED that within twenty-one (21) days after entry of this Order, Legacy must: (1) provide Halliburton with access to its facility where the assembled gas separator was tested by Legacy in December 2016; (2) allow Halliburton to inspect the same assembled gas separator – both externally and internally – that was tested by Legacy in December 2016; and (3) provide a full, written description of the testing that was done by

Legacy on that assembled gas separator in December 2016, along with any and all testing protocols, videos, notes and/or data results. Should Halliburton, following this inspection, continue to believe that it needs to conduct its own, independent, non-destructive testing of that same assembled gas separator, and/or depose Guy Morrison about the testing he did in December 2016, Halliburton should file a timely, re-urged motion for such.

SIGNED at Houston, Texas, this 25th day of September, 2018.

A handwritten signature in black ink, appearing to read 'A. Hanen', written over a horizontal line.

ANDREW S. HANEN
UNITED STATES DISTRICT JUDGE